

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**IN RE: BLUE CROSS BLUE SHIELD
ANTITRUST LITIGATION
(MDL No.: 2406)**

Master File No.: 2:13-CV-20000-RDP

This document relates to all cases.

**SPECIAL MASTER’S RULE 53 REPORT RECOMMENDING
INTERIM COMMITTEE CHAIRS AND COMMITTEE MEMBERS
FOR THE PLAINTIFF SUBSCRIBER AND PROVIDER TRACKS**

COMES NOW, Edgar C. Gentle, III., the Special Master appointed by this Court’s January 9, 2013 Order, and submits this Report concerning the recommended selection of interim Committee Chairs and Committee Members with respect to each of the Subscriber and Provider Tracks, as follows:

1. In preparing this Report, your Special Master reviewed the submissions of all applicants, and interviewed all applicants. Applicants were asked to describe their qualifications and to suggest their thoughts and concerns respecting case management. Your Special Master submitted a list of all applicants for each of the respective tracks to the Court-appointed interim Co-Lead Class Counsel, interim Local Facilitating Counsel, and interim Plaintiffs’ Steering Committee (“Plaintiff Leadership”) for each of the two tracks, and to interim Liaison Counsel for consideration. Plaintiff Leadership for the two tracks then went into deliberations which were facilitated by interim Liaison Counsel and your Special Master.

2. As a result Plaintiff Leadership recommends the Committee Chairs and the Committee Members for each respective track in Exhibit A for the Subscriber Track and Exhibit B for the Provider Track.

3. The so recommended Committee Chair Persons and Committee Members total 55 for the Subscriber Track and 40 for the Provider Track. Your Special Master submits that the larger number of recommended Committee Members for the Subscriber Track is justified by the anticipated additional work due to the substantially larger number of putative class members in the Subscriber Track when compared to the Provider Track, and to possible state law ramifications that may be encountered by the Subscriber Track and not so much by the Provider Track.

4. Your Special Master has consulted with the Plaintiff Leadership of both tracks, and with the interim Liaison Counsel, and has also independently reviewed the recommended Committee Members for each of the two tracks attached. Based upon the foregoing and other matters that your Special Master deems to be appropriate, your Special Master suggests that these recommendations be given favorable consideration by the Court, as being fair and reasonable based upon all the facts and circumstances.

WHEREFORE, PREMISES CONSIDERED, your Special Master requests the following relief:

1. That this Report be allowed to lie over an adequate time for it to be considered by Counsel for the Parties and this Court; and
2. If the Court thinks well of it, and if there are no objections to the recommendations contained in this Report, the Committee Chairs and the Committee Members for each of the two tracks recommended by this Report be approved by the Court, or that the Court provide such other relief as is appropriate.

RESPECTFULLY SUBMITTED this 29th day of April, 2013.

/s/ Edgar C. Gentle, III.

Edgar C. Gentle, III

Court-Appointed Special Master

OF COUNSEL:

Gentle, Turner, Sexton Debrosse & Harbison

501 Riverchase Parkway East, Suite 100

Hoover, Alabama 35244

(205) 716-3000 Phone

(205) 716-3010 Facsimile

escrowagen@aol.com

CERTIFICATE OF SERVICE

I, hereby certify that on this, the 29th day of April, 2013, I filed the foregoing with the Clerk of Court using the Case Management/Electronic Case Filing (CM/ECF) system, which will send notification of such filing to all those parties of record who are registered for electronic filing, and further certify that those parties of record, or their attorneys, who are not registered for electronic filing have been served by sending this date, a copy of same by first class U. S. Mail, postage pre-paid and properly addressed to them.

/s/ Edgar C. Gentle, III.

Edgar C. Gentle, III

Court-Appointed Special Master